IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 16TH NOVEMBER 2007 / 25TH KARTHIKA 1929

WP(C).No. 33878 of 2007(G)

OPMV.177/2005 of MOTOR ACCIDENT CLAIMS TRIBUNAL, OTTAPALAM
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PETITIONER:

PARU, W/O.CHANDRAN, LAKSHAMVEEDU,
COLONY, P.O.PAMBADI EAST, THRISSUR DISTRICT.

BY ADV. SRI.SANTHEEP ANKARATH

RESPONDENT:

THE NEW INDIA ASSURANCE COMPANY
LIMITED, OTTAPALAM BRANCH, P.O.OTTAPALAM,
PALAKKAD DISTRICT.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 33878 OF 2007 G
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Dated this the 16th day of November, 2007

J U D G M E N T

Following Ext.P1 award of the Motor Accidents Claims Tribunal, Ottapalam in OP(MV) No.177/05, a portion of the compensation was deposited in a Nationalised Bank. In view of the financial difficulties faced by the petitioner, petitioner submitted Ext.P2 application for release of Rs.35,525/-, which is now available in deposit. However, that prayer has been rejected by the Tribunal in Ext.P3. According to the Tribunal, except financial difficulties, no specific reason is stated to justify the premature release.

2. In my view, financial difficulty by itself is a good reason for seeking release of the amount in deposit. Therefore, I do not find any valid reason to uphold the reasoning of the Tribunal in Ext.P3. Ext.P3 will stand quashed and the amount will be allowed to be released to the petitioner.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

Rp